



March 8, 2004

Assistant Commissioner of Patents

Washington, DC 20231

09/747, 775

**PROTEST UNDER 37 CFR 1.291(a)**

Re: Advertising enabled digital content

**RECEIVED**  
MAR 25 2004

**GROUP 3600**

US File # **20020082913**

Filed: 12/22/2000

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is **20020082913**

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising and content delivery system dependent upon a database maintained at the client level. The inventor refers to a traditional client/server system as a "media player" or other executable program/system that resides on a client computer device. Within this system, he builds a database containing a plurality of advertisements dynamically retained at the client terminal as well as content related to the media. The system is described in (0016) (0022) (0025) (0026) (0029) (0031) and others.

The abstract reads in part, "The electronic content has associated therewith a user right which is determined by the executable player. An executable module attached to the executable program obtains at least one electronic advertisement in the event the user right is indicative of a restricted right. The electronic advertisement may be obtained from a advertising server and presented to the user, visually or audibly, during the use of the program acting upon the content."

Selecting a channel, MP3 tune or genre-specific media that is a voluntary user action, will trigger the display of targeted advertising presumably associated with viewers of that media. (0029), Selection of media, or user interface with any other executable program, is the equivalent to voluntarily entering a URL or keyword into a browser locator window that makes a match with an advertising database stored (0025) and maintained at the client software system in the remotely controlled and updated interactive database and in the event a match is made by comparing, an appropriate advertisement is displayed.

Relevant Claims are: 2, 8, 14, 17, 20, 23, 27, and others. Basing ad display based upon program selection comparisons stored at the client level is no different than selecting a URL in a browser or keyword in a search engine. The

media player is simply a software plug-in to a browser that is described and used in prior art.

This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established and updateable client database and a targeted ad is displayed.

I am objecting to this patent filing, as it is neither novel nor unique. It is of particular note that while no prior art was submitted with this filing correlating to the internet and only some vague references to server profiling systems. The filers are correct that a targeted system based on program selection, URLs or keywords is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

1. US Patent 6,141,010 ... similar technology
2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 12/22/2000 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.

The screenshot shows a Netscape browser window displaying the Espacenet website. The browser's address bar shows the URL: <http://v3.espacenet.com/textdoc?A=Zetmeir&F=FIRST=1&CY=ep&LG=en&DB=EPODOC&st=1&kw=Zetmeir&Subst=1>. The website header includes the "European Patent Office" logo and the "espacenet" logo. A navigation menu on the left includes "Quick Search", "Advanced Search", "Number Search", "Last Published", "My patents list", "Classification Search", and "Help". The main content area is titled "TELEPHONE CALL MANAGEMENT SOFTWARE AND INTERNET MARKETING METHOD". It displays bibliographic data for patent CA2328913, including the publication date (1999-10-28), inventor (ZETMEIR KARLO (US)), applicant (ZETMEIR KARLO (US)), and classification (H04M3/00). It also lists application numbers (CA198022/20412, 19990414) and priority numbers (US 1980062041, 19990417, WO 1999/0508102, 19990414). An abstract is provided at the bottom, describing a telephone call management computer program that provides both call management features and long distance savings for telephone consumers and marketing and advertising services for sponsor companies.

espacenet document view - Netscape

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<http://v3.espacenet.com/textdoc?A=Zetmeir&F=FIRST=1&CY=ep&LG=en&DB=EPODOC&st=1&kw=Zetmeir&Subst=1> Search

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TELEPHONE CALL MANAGEMENT SOFTWARE AND INTERNET MARKETING METHOD

Bibliographic data	Description	Claims	INPADOC LEGAL STATUS
Patent number:	CA2328913		
Publication date:	1999-10-28		
Inventor:	ZETMEIR KARLO (US)		Also published as:
Applicant:	ZETMEIR KARLO (US)		WO9955066 (A1)
Classification:			EP1076983 (A1)
International:	H04M3/00		
European:			
Application numbers:	CA198022/20412, 19990414		
Priority number(s):	US 1980062041, 19990417, WO 1999/0508102, 19990414		

INPADOC abstract family

Abstract of CA2328913

A telephone call management computer program that provides both call management features and long distance savings for telephone consumers and marketing and advertising services for sponsor companies that wish to advertise to the consumer is disclosed. The call management program is initially stored on a host computer (12) and is then downloaded upon request to user computers (22) along with advertisement banners selected by the sponsor companies. When used, the program automatically front-loads a long distance carrier's PIC code in front of all long distance calls made from the user computers to permit consumers to automatically make long distance phone calls at discounted rates without memorizing numerous PIC codes and without continually shopping for the best long distance rate. The program also provides many enhanced telephone calling options and displays the banners and other advertising directly on the user computers (22) while the consumers use the program.



